

111TH CONGRESS  
1ST SESSION

# S. 1843

To provide increased penalties for health care fraud.

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IN THE SENATE OF THE UNITED STATES

OCTOBER 22, 2009

Mr. SPECTER (for himself and Mr. GRAHAM) introduced the following bill;  
which was read twice and referred to the Committee on the Judiciary

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## A BILL

To provide increased penalties for health care fraud.

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Strengthening En-  
5 forcement for Health Care Fraud Crimes Act of 2009”.

6 **SEC. 2. HEALTH CARE FRAUD.**

7 Section 1347 of title 18, United States Code, is  
8 amended—

9 (1) by striking “Whoever” and inserting the fol-  
10 lowing:

1       “(a) IN GENERAL.—It shall be unlawful for any per-  
 2 son, in connection with the delivery of or payment for  
 3 health care benefits, items, or services, to”;

4           (2) by striking “executes, or attempts” and in-  
 5 serting “execute, or attempt”;

6           (3) in subsection (a)(2), as so designated, by  
 7 striking “program,” and inserting “program.”; and

8           (4) in the matter following subsection (a)(2), as  
 9 so designated, by striking “in connection with the  
 10 delivery” and all that follows and inserting the fol-  
 11 lowing:

12       “(b) PENALTIES.—

13           “(1) IN GENERAL.—Subject to paragraph (2),  
 14 whoever violates subsection (a)—

15               “(A) shall be fined under this title, impris-  
 16 oned for not more than 10 years, or both;

17               “(B) if the violation results in serious bod-  
 18 ily injury (as defined in section 1365 of this  
 19 title), shall be fined under this title, imprisoned  
 20 for not more than 20 years, or both; and

21               “(C) if the violation results in death, shall  
 22 be fined under this title, imprisoned for any  
 23 term of years or for life, or both.

24       “(2) MANDATORY MINIMUM SENTENCING.—In  
 25 imposing a sentence under paragraph (1), if the vio-

1       lation of subsection (a) involves a loss of not less  
2       than \$100,000, the defendant shall be imprisoned  
3       for not less than 6 months.”.

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